



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,029	01/22/2002	George Henry Forman	10013642-1	1461

7590 03/28/2006

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
----------	--------------

2173

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/054,029
Filing Date: January 22, 2002
Appellant(s): FORMAN ET AL.

MAILED

MAR 28 2006

Technology Center 2100

Philip S. Lyren (Reg. No. 40,709)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 12-22-2005 appealing from the Office
action mailed 9-29-2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,627,980	Schilit et al.	5-1997
6,489,968	Ortega et al.	12-2002

Art Unit: 2173

6,029,195

Herz

2-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-16 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. As the Supreme Court has made clear, "[a]n idea of itself is not patentable," *Rubber-Tip Pencil Co. v. Howard*, 20 U.S. (1 Wall.) 498, 507 (1874); Warmerdam, 33 F.3d at 1360, 31 USPQ2d at 1759; taking several abstract ideas and manipulating them together adds nothing to the basic equation. The computer program is not embodied in a computer readable medium. The program is never executed nor is the feedback ever visually provided to the user.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2173

2. Claims 1, 3-6, 8-13, 16, 17, 19, 22, 23, 25, and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,627,980 (Schilit et al).

3. Referring to claims 1, 10, 17, 25, and 27, Schilit discloses in column 5: lines 15-24 a multiple level hierarchical data structure. In column 5: lines 25-67, Schilit further discloses receiving information related to a navigation goal and relating information indicative of a goal node to at least first level nodes of the hierarchy structure. Schilit further teaches, in column 5, lines 25-67, the computer receives input via the touch sensitive display where the input gives direction as to what element the user sees as a goal or which sub-set of the group of elements the user believes the goal element is in, in order to work toward reaching the goal state. In column 5: lines 52-67 and column 6: lines 1-31, Schilit discloses classifying said information and providing a recommendation as to at least one of said choices more likely to lead towards said goal, highlighting said at least one choice by making it a bracket member, receiving a selection from a user, and iteratively navigating through the data structure until the goal node is reached. Schilit teaches, in column 5, lines 25-67 and column 6, lines 1-13, the computer displaying sets of information, adaptively, in order to provide the user with a set of information that best suit them in finding their goal state. This possible includes including the goal state in a higher level of the hierarchy. Schilit provides a detailed example of one embodiment of the invention in column 6: lines 32-65.

Art Unit: 2173

4. Referring to claim 3, as discussed above, Schilit discloses in column 5: lines 15-24 that the structure is a hierarchy.
5. Referring to claim 4, Schilit discloses in column 5: lines 52-67 and column 6: lines 1-31 navigating by searching in a descending fashion level by level through the hierarchy.
6. Referring to claim 5, Schilit discloses in column 5: lines 52-67 and column 6: lines 1-31 that feedback is iterative, refining currently available choices in each iteration.
7. Referring to claim 6, Schilit discloses in column 5: lines 52-67 and column 6: lines 1-31 the computer code for receiving a user's initial selection and determining what the next available choices are can be considered a classifier program.
8. Referring to claim 8, Schilit discloses in column 6: lines 13-31 storing historical usage data and learning from said historical usage data to improve the means for classifying.
9. Referring to claim 9, Schilit discloses in column 5: lines 52-67 and column 6: lines 1-31 that the providing of feedback indicative of said recommendation probabilistically facilitates navigation through the structure towards said navigation goal.
10. Referring to claim 11, Schilit discloses in column 5: lines 52-67 and column 6: lines 1-65 computer code for determining if the current choice is indicative of the goal node, displaying to the user whether said current choice is the goal node, and directing the user to the goal node if the current choice is

Art Unit: 2173

correct or otherwise iteratively providing at least one refined option choice to said user based on reclassifying the information with the current choice until the goal node is reached.

11. Referring to claims 12 and 22, Schilit discloses in column 5: lines 64-67 computer code for analyzing the information and each current choice and for storing data indicative of the analyzing such that later iterations of providing at least one refined option accounts for said data indicative of analyzing.

12. Referring to claims 13 and 23, Schilit discloses in column 5: lines 52-67 and column 6: lines 1-31 computer code for highlighting at least one currently available choice, wherein the at least one currently available choice is graphically highlighted by making it a bracket member, and wherein said highlighting is indicative of a suggestion that said at least one currently available choice is more likely to achieve the goal node of the navigating.

13. Referring to claim 16, Schilit discloses in column 3: lines 35-55 that the ordered data and the instruction data are stored in memory.

14. Referring to claim 19, Schilit discloses in column 5: lines 52-67 and column 6: lines 1-31 presenting a plurality of currently available next choices according to the next level of the organizational structure.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to

Art Unit: 2173

be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 2 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,627,980 (Schilit et al).

17. Referring to claims 2 and 18, while Schilit fails to explicitly state accessing an organizational structure from among a plurality of organizational structures, the examiner submits that it is notoriously well known in the state of the art that hierarchical trees can be split into smaller trees level by level such that one could effectively access one organization structure from among a plurality of organizational structures. The examiner takes OFFICIAL NOTICE of this teaching. It would in fact be beneficial to separate extremely large organizational structures into smaller ones to improve the speed at which the structures are accessed or to accommodate storage across multiple locations. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made access one organizational structures from among a plurality of organizational structures because doing so would have been beneficial in scenarios with extremely large data structures that may need to be stored at multiple locations.

18. Claims 7, 15, 20, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,627,980 (Schilit et al) and U.S. Patent No. 6,489,968 (Ortega et al).

Art Unit: 2173

19. Referring to claims 7, 15, and 20, Schilit fails to disclose recommending likely choices that are not the next available choices in the hierarchy or organizational structure. Ortega, though, discloses in the summary means for “elevating” certain nodes within a tree such that nodes that are more likely to be target nodes can be presented to the user prior to navigating through each hierarchical level. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to recommend likely choices that are not the next available choices in the hierarchy or organizational structure as taught by Ortega in combination with the teachings of Schilit because it would advantageously provide users with the opportunity to reach a target node without having to navigate through all of the hierarchical levels, thus saving time.

20. Referring to claim 26, Schilit disclose that if the target node is selected then ending the comparing, but fails to disclose that if the target node is not selected then re-comparing the first data with one of the likely nodes that is selected and providing further feedback data indicating likely subsidiary nodes and said likely node that is selected such that at least one of said likely subsidiary nodes is a target node predicted to be the goal node from a probabilistic analysis during said re-comparing, and wherein the feedback data allows selection between the likely subsidiary nodes and the target node. Ortega, though, discloses in the summary means for “elevating” certain nodes within a tree such that nodes that are more likely to be target nodes can be presented to the user prior to navigating through each hierarchical level. These elevated nodes correspond to the claimed subsidiary nodes, which allow the user

Art Unit: 2173

to jump right to the target node. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to indicate likely subsidiary nodes as taught by Ortega in combination with the teachings of Schilit because it would advantageously provide users with the opportunity to reach a target node without having to navigate through all of the hierarchical levels, thus saving time.

21. Claims 14, 21, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,627,980 (Schilit et al) and U.S. Patent No. 5,754,938 (Herz et al).

22. Referring to claims 14 and 24, Schilit fails to disclose providing probability data for a plurality of currently available choices via a graphical display. Herz, though, discloses in column 68: lines 2-56 means for visually marking choices with a special color or typeface, or displaying an image or number indicating the likely level of interest. Clearly, it is desirable to reach the goal node as quickly as possible, and the additional feedback disclosed by Herz aids the user in making efficient choices. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide probability data for a plurality of currently available choices as taught by Herz in combination with the teachings of Schilit so that users can make more informed choices thus reaching the goal node in a more efficient manner.

23. Referring to claim 21, Schilit fails to disclose displaying only a recommended subset of choices to the user. Herz, though, discloses in column

Art Unit: 2173

68: lines 41-46 that “uninteresting” or least likely choices can suppressed so that the user is not even aware of these choices. Herz provides an example in which a user with children can advantageously apply negative weight in order to suppress vulgar choices from the display. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made do display only a recommended subset of choices to the user as taught by Herz in combination with the teachings of Schilit so that the user is not bothered with unnecessary or unwanted information as suggested by Herz.

(10) Response to Argument

I. Claim Rejection: 35 USC § 101:

From page 8 of the Appeal Brief, from the fourth paragraph, the Appellant argues that Claim 1 recites a concrete, tangible, and useful result as classifying information, providing a recommendation, and providing feedback.

The steps as proposed by the applicant do not provide a useful and tangible result, there is no computer medium processing the classification of information, there is no displayed output on a screen, printout, etc. of the recommendation / feedback. The claim is just a program that is not shown to be executed to provide a useful and tangible result.

From page 9 of the Appeal Brief, from the first paragraph, the Appellant argues that Claim 10 recites a concrete, tangible, and useful

Art Unit: 2173

result as classifying information, predicting and highlighting an option, and providing suggestions.

The steps as proposed by the applicant do not provide a useful and tangible result, there is no computer medium processing the classification of information, there is no displayed output on a screen, printout, etc. of the highlighting of an option / suggestion. The claim is just a program that is not shown to be executed to provide a useful and tangible result.

From page 9 of the Appeal Brief, from the third paragraph, the Appellant argues that Claim 17 recites a concrete, tangible, and useful result as presenting choices of nodes and applying a classifier.

The examiner agrees and has removed the rejection.

II. Claim Rejection: 35 USC § 102(b) (claims 1, 3-6, 8-13, 16, 17, 19, 22, 23, 25, and 27):

With respect to the arguments directed at the group of claims including Claims 1, 3-6, 8-13, 16, 17, 19, 22, 23, 25, and 27 the Appellant's arguments are focused on the limitations regarding "receiving information related to a navigational goal". More specifically, as stated from representative Claim 1, the limitation argued is:

"... computer code means for receiving information related to a navigation goal wherein the goal is potentially related to at least one of the choices; ..."

Art Unit: 2173

Since the interpretation of the limitation is the basis for the arguments, the Examiner's interpretation is now given. The claim, as interpreted by the examiner, pertains to a computer that receives input related to a goal. As stated in the eighth paragraph of MPEP 2101[R2].II.C.,

"Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023,1027-28 (Fed. Cir. 1997)."

Based on the interpretation of the claim limitations being argued, the Examiner will now explain how the teachings of the Schilit reference are within the scope of these limitations.

Schilit discloses in column 5: lines 15-24 a multiple level hierarchical data structure. In column 5: lines 25-67, Schilit further discloses receiving information related to a navigation goal and relating information indicative of a goal node to at least first level nodes of the hierarchy structure. Schilit further teaches, in column 5, lines 25-67, the computer receives input via the touch sensitive display where the input gives direction as to what element the user sees as a goal or which sub-set of the group of elements the user believes the goal element is in, in order to work toward reaching the goal state. In column 5: lines 52-67 and column 6: lines 1-31, Shilit discloses classifying said information and providing a recommendation as to at least one of said choices more likely to lead towards

Art Unit: 2173

said goal, highlighting said at least one choice by making it a bracket member, receiving a selection from a user, and iteratively navigating through the data structure until the goal node is reached. Schilit teaches, in column 5, lines 25-67 and column 6, lines 1-13, the computer displaying sets of information, adaptively, in order to provide the user with a set of information that best suit them in finding their goal state. This possible includes including the goal state in a higher level of the hierarchy. Schilit provides a detailed example of one embodiment of the invention in column 6: lines 32-65.

The examiner will now address the individual arguments and statements made by Appellant.

From page 12 of the Appeal Brief, from the third paragraph, the Appellant argues that Schilit doesn't teach "receiving information related to a navigation goal."

The examiner respectfully contends that Schilit teaches in column 2, lines 25-45, in column 5, lines 15-67 and figures 1-3, allowing a user to provide input to the computer system relating to the desired goal state. The user can either select one of the items (bracket member) of the currently displayed set or select an "elision" between two items to provide a subset of the above displayed set.

From page 12 of the Appeal Brief, from the fourth paragraph, the Appellant argues that “Schilit does not teach or suggest classification of information as claimed... receiving information related to a navigational goal and then classifying this information”

The examiner respectfully contends that Schilit teaches, in column 2, lines 6-12 and column 3, lines 14-32, and the system goes through a classification step of organizing elements of a list into subsets to be displayed to a user usually according to alphabetical order, numerical order, color, temperature, etc. These sets of elements are then access by a user providing an initial input, such as selecting a elision, when the elision is selected the classification program determines the associated subset to display and displays the subset.

From page 13 of the Appeal Brief, from the second paragraph, the Appellant argues that Schilit doesn't teach “providing a recommendation as to at least one of said choices more likely to lead toward said goal.”

The examiner respectfully contends that Schilit teaches an iterative system which continually monitors the subsets selected by the user to view and also the goal states most selected and recently selected in order to provide the user with the most probable goal states at a higher level of the hierarchy (see column 2, lines 33-44, column 3, lines 7-14, and column 6, lines 1-13). The system of Schilit further provides recommendations by limiting the next displayed subset to those items between the user provided selection of a elision (see column 2, lines 33-48).

From page 13 of the Appeal Brief, from the fourth paragraph, the Appellant argues that “Nowhere does Schilit teach or suggest classifiers or classifier programs”

The examiner respectfully contends that Schilit teaches, in column 2, lines 6-12 and column 3, lines 14-32, and the system goes through a classification step of organizing elements of a list into subsets to be displayed to a user usually according to alphabetical order, numerical order, color, temperature, etc. These sets of elements are then access by a user providing an initial input, such as selecting a elision, when the elision is selected the classification program determines the associated subset to display and displays the subset.

From page 14 of the Appeal Brief, from the second paragraph, the Appellant argues that Schilit doesn't teach “receiving information related to a navigation goal.”

The examiner respectfully contends that Schilit teaches in column 2, lines 25-45, in column 5, lines 15-67 and figures 1-3, allowing a user to provide input to the computer system relating to the desired goal state. The user can either select one of the items (bracket member) of the currently displayed set or select an “elision” between two items to provide a subset of the above displayed set.

Art Unit: 2173

From page 14 of the Appeal Brief, from the third paragraph, the Appellant argues that "Schilit does not teach or suggest classification of information as claimed... receiving information related to a navigational goal and then classifying this information"

The examiner respectfully contends that Schilit teaches, in column 2, lines 6-12 and column 3, lines 14-32, and the system goes through a classification step of organizing elements of a list into subsets to be displayed to a user usually according to alphabetical order, numerical order, color, temperature, etc. These sets of elements are then access by a user providing an initial input, such as selecting a elision, when the elision is selected the classification program determines the associated subset to display and displays the subset.

From page 15 of the Appeal Brief, from the first paragraph, the Appellant argues that Schilit does not teach "predicting at least one option most likely to advance navigation to a predicted goal node of said hierarchy structure" or "highlighting an option".

The examiner respectfully contends that Schilit teaches an iterative system which continually monitors the subsets selected by the user to view and also the goal states most selected and recently selected in order to provide the user with the most probable goal states at a higher level of the hierarchy (see column 2, lines 33-44, column 3, lines 7-14, and column 6, lines 1-13). The system of Schilit further provides recommendations by limiting the next displayed

Art Unit: 2173

subset to those items between the user provided selection of a elision (see column 2, lines 33-48).

From page 15 of the Appeal Brief, from the third paragraph, the Appellant argues that Schilit does not teach or suggest “computer code for iteratively providing suggestions...”.

The examiner respectfully contends that Schilit teaches in column 2, lines 33-50, recursively allowing for user selection of a desired item or a subset of the current set of items for display and further user selection. Each level providing suggestions as to which item is the desired goal state.

From page 15 of the Appeal Brief, from the fifth paragraph, the Appellant argues that “The program of Schilit is not capable of determining whether a choice is the goal node”.

The examiner respectfully contends that Schilit teaches in column 2, lines 28-32 and in column 5, line 51-67, allowing a user to select a “bracket member” at any level to select the goal state. Furthermore, if the user does not see the choice goal node, the elision can be selected to display the “one” or more iteratively determined goal state(s).

From page 15 of the Appeal Brief, from the sixth paragraph, the Appellant argues that Schilit does not teach “computer code for directing said user to said goal node if said choice is correct or otherwise for

Art Unit: 2173

iteratively providing at least one refined option choice to said user based on reclassifying said information with a said current choice until said goal node is reached.”

The examiner respectfully contends that Schilit teaches, in column 2, lines 25-50, in column 5, lines 15-67, and in figures 1-3, iteratively providing a user with a group of selectable “bracket members” (that may be goal members) and a group of selectable “elisions” which provide a subset of items between the two adjacent “bracket members” by determining which classification of elements the user wishes to be displayed, this rounding down of elements continues until a goal node is selected.

From page 16 of the Appeal Brief, from the second paragraph, the Appellant argues that Schilit does not teach or suggest “receiving targeting data related to said organizational structure.”

The examiner respectfully contends that Schilit teaches in column 2, lines 25-45, in column 5, lines 15-67 and figures 1-3, allowing a user to provide input to the computer system relating to the desired goal state. The user can either select one of the items (bracket member) of the currently displayed set or select an “elision” between two items to provide a subset of the above displayed set.

From page 16 of the Appeal Brief, from the third paragraph, the Appellant argues that Schilit does not teach or suggest “applying a classifier to said targeting data”.

The examiner respectfully contends that Schilit teaches, in column 2, lines 6-12 and column 3, lines 14-32, and the system goes through a classification step of organizing elements of a list into subsets to be displayed to a user usually according to alphabetical order, numerical order, color, temperature, etc. These sets of elements are then access by a user providing an initial input, such as selecting a elision, when the elision is selected the classification program determines the associated subset to display and displays the subset.

From page 17 of the Appeal Brief, from the fifth paragraph, the Appellant argues that Schilit does not teach or suggest "a classifier to compare first and second data".

The examiner respectfully contends that Schilit teaches, in column 2, lines 6-12 and column 3, lines 14-32, the user compares the input to the set of data to determine a route to navigate the hierarchical structure to provide the user with a more focus subset of possible goal states. This is done by the system going through a classification step of organizing elements of a list into subsets to be displayed to a user usually according to alphabetical order, numerical order, color, temperature, etc. These sets of elements are then access by a user providing an initial input, such as selecting a elision, when the elision is selected the classification program determines the associated subset to display and displays the subset.

From page 18 of the Appeal Brief, from the second paragraph, the Appellant argues that Schilit does not teach or suggest “comparing first data indicative of a user goal node to a second data indicative of given organizational structures.”

The examiner respectfully contends that Schilit teaches, in column 2, lines 6-12 and column 3, lines 14-32, and the system goes through a classification step of organizing elements (organizational structure) of a list into subsets to be displayed to a user usually according to alphabetical order, numerical order, color, temperature, etc. These sets of elements are then access by a user providing an initial input (first data), such as selecting a elision, when the elision is selected the classification program determines the associated subset, in the entire set of items (organizational structure), to display and displays the subset.

From page 18 of the Appeal Brief, from the third paragraph, the Appellant argues that Schilit does not teach or suggest “providing feedback data indicative of likely nodes related to said goal node...”.

The examiner respectfully contends that Schilit teaches an iterative system which continually monitors the subsets selected by the user to view and also the goal states most selected and recently selected in order to provide the user with the most probable goal states at a higher level of the hierarchy (see column 2, lines 33-44, column 3, lines 7-14, and column 6, lines 1-13). The system of Schilit further provides recommendations by limiting the next displayed

Art Unit: 2173

subset to those items between the user provided selection of a elision (see column 2, lines 33-48).

From page 18 of the Appeal Brief, from the fifth paragraph, the Appellant argues that Schilit does not teach or suggest “receiving... targeting data related to at least one organizational structure.”

The examiner respectfully contends that Schilit teaches, in column 2, lines 6-12 and column 3, lines 14-32, and the system goes through a classification step of organizing elements of a list into subsets to be displayed to a user usually according to alphabetical order, numerical order, color, temperature, etc. These sets of elements are then access by a user providing an initial input, such as selecting a elision, when the elision is selected the classification program determines the associated subset to display and displays the subset.

From page 19 of the Appeal Brief, from the first paragraph, the Appellant argues that Schilit does not teach or suggest “applying a classifier to said targeting data”.

The examiner respectfully contends that Schilit teaches, in column 2, lines 6-12 and column 3, lines 14-32, the user compares the input to the set of data to determine a route to navigate the hierarchical structure to provide the user with a more focus subset of possible goal states. This is done by the system going through a classification step of organizing elements of a list into subsets to be

Art Unit: 2173

displayed to a user usually according to alphabetical order, numerical order, color, temperature, etc. These sets of elements are then access by a user providing an initial input, such as selecting a elision, when the elision is selected the classification program determines the associated subset to display and displays the subset.

From page 19 of the Appeal Brief, from the fourth paragraph, the Appellant argues that Schilit does not teach or suggest “iteratively applying a classifier to said targeting data...”.

The examiner respectfully contends that Schilit teaches in column 2, lines 33-50, recursively allowing for user selection of a desired item or a subset of the current set of items for display and further user selection. Each level providing suggestions as to which item is the desired goal state.

III. Claim Rejection: 35 USC § 103(a) (claims 2 and 18):

From page 20 of the Appeal Brief, from the fourth paragraph, the Appellant argues that there is no motivation in Schilit to arrive at the limitation of claims 2 and 18.

The examiner respectfully contends that adequate support is found in Schilit alone. Schilit teaches, in column 5, lines 15-50, a plurality of hierarchly arranged screens that organize information according to alphabetical listings of

Art Unit: 2173

items where frequently used items are displayed at a higher level. Each of these levels is an organizational structure associated with a goal.

IV. Claim Rejection: 35 USC § 103 (claims 7, 15, 20, and 26):

With respect to claims 7, 15, 20, and 26, the Appellant argues that the claims should be allowable for the same reason as the claim from which they depend.

The examiner respectfully contends that the rejection as set forth above holds here as well.

V. Applicants seem to have skipped this section

VI. Claim Rejection: 35 USC § 103 (claims 14, 21, and 24):

With respect to claims 14, 21, and 24, the Appellant argues that the claims should be allowable for the same reason as the claim from which they depend.

The examiner respectfully contends that the rejection as set forth above holds here as well.

(11) Related Proceeding(s) Appendix


No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Art Unit: 2173

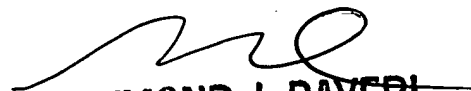
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

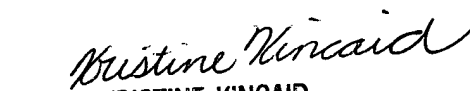
Conferees:


Dennis G. Bonshock
March 14, 2005

Raymond J. Bayerl
Primary Patent Examiner
March 14, 2005


RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

Kristine L. Kincaid
Supervisory Patent Examiner
March 14, 2005


KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100